

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application of: Degussa Health & Nutrition Americas, LLC
Serial No.: 76/360,380
Mark: SWEET OVATIONS
Filed: 01/18/2002
Potential Opposer: Hershey Chocolate & Confectionery Corporation
4860 Robb Street, Suite 204, Wheat Ridge, CO 80033

02-10-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #70

BOX TTAB--NO FEE
Assistant Commissioner for Trademarks
U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, VA 22202-3513

Re: Third Request Under Rule 2.102 to
Extend Time for Filing Notice of Opposition

Sir:

In the matter of the above-identified application which was published in the Official Gazette of 10/08/2002 page TM 233, it is respectfully requested that the time for filing a Notice of Opposition to the above application be extended for a period of 30 days from 02/05/2003 to and including 03/07/2003.

This request is not made for the purposes of delay. The parties are in the process of negotiating a potential settlement that will resolve this matter without an opposition. Applicant's attorney, Thomas A. Miller, Esq., has agreed to this extension via telephone.

Respectfully submitted,
HERSHEY CHOCOLATE
& CONFECTIONERY CORPORATION,
Potential Opposer

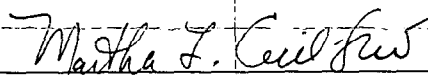
By: Martha L. Cecil-Few
Martha L. Cecil-Few, Counsel

Wheat Ridge, Colorado
February 5, 2003

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box TTAB NO FEE, Assistant Commissioner for Trademarks, U.S. Patent and Trademark Office, 2900 Crystal Drive, Arlington, VA 22202-3513, on February 5, 2003.



Martha L. Cecil-Few
Counsel

CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing Third Request to Extend Time for Filing a Notice of Opposition was forwarded to attorney for Applicant, Thomas A. Miller, Esq., Michael Best & Friedrich LLP, 100 E. Wisconsin Avenue, Milwaukee, WI 53202-4108, by first class mail, postage prepaid on February 5, 2003.



Martha L. Cecil-Few
Counsel

Hershey Chocolate & Confectionery Corporation



A Hershey Foods Company

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Phone: (303) 463-6550
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TTAB

02-10-2003

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #7C

February 5, 2003

Box TTAB NO FEE
Assistant Commissioner for Trademarks
U.S. Patent and Trademark Office
2900 Crystal Drive
Arlington, VA 22202-3513

Re: **Serial No.** 76/360,380
 Mark: SWEET OVATIONS
 Filed: 01/18/2002

Dear Commissioner:

Enclosed please find Hershey Chocolate & Confectionery Corporation's Third Request to Extend Time for Filing Notice of Opposition regarding the referenced trademark. Kindly acknowledge receipt of this document by stamping and returning the enclosed postcard.

Thank you for your attention to this matter.

Very truly yours,


Martha L. Cecil-Few
Counsel

Enclosures

c: Linda S. Vettori (HFC)
 Thomas A. Miller, Esq.

DD